

# INTERNATIONAL SEARCH REPORT

Inter national Application No  
PCT/DK2004/000862

## A. CLASSIFICATION OF SUBJECT MATTER

A61K31/135 A61K31/343 A61K31/454 A61K45/06 A61P25/24  
A61P25/18

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and where practical, search terms used)

EPO-Internal, WPI Data, BIOSIS, MEDLINE, EMBASE, CHEM ABS Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No
X	EP 0 966 967 A (ELI LILLY AND COMPANY) 29 December 1999 (1999-12-29)  page 11, paragraph 49 - paragraph 51 claims 1,2	1-10, 12-16, 18-24
X	WO 99/61027 A (ELI LILLY AND COMPANY; TOLLEFSON, GARY, DENNIS) 2 December 1999 (1999-12-02) claims 1-6	1-10, 12-16, 18-24
X	WO 99/20279 A (ELI LILLY AND COMPANY; PERRY, KENNETH, WAYNE) 29 April 1999 (1999-04-29) claims 1-6,9	1-10, 12-16, 18-24
Y	page 7, paragraph 2 - paragraph 3  ----- -/-	22-24

☒ Further documents are listed in the continuation of box C

☒ Patent family members are listed in annex

### \* Special categories of cited documents

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

7 December 2005

Date of mailing of the international search report

15/12/2005

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No
A	SCHLICKER E ET AL: "Effects of imidazolines on noradrenaline release in brain: An investigation into their relationship to imidazoline, 'alpha!2 and H3 receptors" NEUROCHEMISTRY INTERNATIONAL 1997 UNITED KINGDOM, vol. 30, no. 1, 1997, pages 73-83, XP008056901 ISSN: 0197-0186 page 80, column 2, paragraph 3 page 74, column 1, paragraph 2 -----	22-24
Y		
A	MORISSET S ET AL: "Atypical neuroleptics enhance histamine turnover in brain via 5-hydroxytryptamine2A receptor blockade" JOURNAL OF PHARMACOLOGY AND EXPERIMENTAL THERAPEUTICS, vol. 288, no. 2, February 1999 (1999-02), pages 590-596, XP008056904 ISSN: 0022-3565 page 594, column 1, paragraph 1 - column 2, paragraph 1 page 590, column 2, paragraph 1 - paragraph 2 -----	22-24
X		
A	EP 0 978 512 A (SOCIETE CIVILE BIOPROJET) 9 February 2000 (2000-02-09) -----	1-21
P, A	BONGERS GERALD ET AL: "Role of H3-receptor-mediated signaling in anxiety and cognition in wild-type and Apoe-/- mice." NEUROPSYCHOPHARMACOLOGY, vol. 29, no. 3, March 2004 (2004-03), pages 441-449, XP008056995 ISSN: 0893-133X -----	



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## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons

- 1 ☐ Claims Nos  
because they relate to subject matter not required to be searched by this Authority, namely
- 2 ☒ Claims Nos 25  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically  
see FURTHER INFORMATION sheet PCT/ISA/210
- 3 ☐ Claims Nos  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6 4(a)

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows

- 1 ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims
- 2 ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee
- 3 ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos
- 4 ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims, it is covered by claims Nos

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest
- ☐ No protest accompanied the payment of additional search fees



FURTHER INFORMATION CONTINUED FROM POT/ISA/ 210

Continuation of Box I.2

Claims Nos. : 25

Present claim 25 encompasses a genus of compounds defined only by their function, namely a compound identified according to any of the claims 22-24, wherein the relationship between the structural features of the members of the genus and said function have not been defined. In the absence of such a relationship either disclosed in the as-filed application or which would have been recognized based upon information readily available to one skilled in the art, the skilled artisan would not know how to make and use compounds that lack structural definition. The fact that one could have assayed a compound of interest using the claimed assays does not overcome this defect since one would have no knowledge beforehand as to whether or not any given compound (other than those that might be particularly disclosed in an application) would fall within the scope of what is claimed. It would require undue experimentation (be an undue burden) to randomly screen undefined compounds for the claimed activity. Therefore, no search has been performed for claim 25 (Articles 5 and 6 PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.



# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No  
PCT/DK2004/000862

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
EP 0966967	A	29-12-1999	AU 756468	B2	16-01-2003
			AU 4008899	A	20-12-1999
			BR 9911068	A	06-02-2001
			CA 2332408	AI	09-12-1999
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			HR 20000798	AI	31-10-2001
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			JP 2002516864	T	11-06-2002
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			PL 344304	AI	22-10-2001
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			EP 0919234	A2	02-06-1999
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